

**TOWNSHIP OF MANSFIELD
PLANNING BOARD
REGULAR MEETING
Monday, August 28, 2017**

The Regular Meeting of the Mansfield Township, Planning Board was held on the above shown date with the following in attendance: Vice Chairman Douglas Borgstrom, Arthur Puglia, Robert Semptimphelter, John Kampo, Gary Lippincott ,and Delpat Patel. Attorney Thomas Coleman, Engineer Robert Stout, Planner Barbara Fegley, Traffic Engineer Alexander Litwornia and Secretary Ashley Jolly. Chairman Scott Preidel, Randy Allen, and Barry Winn were absent.

The meeting was called to order by Vice Chairman Borgstrom followed by the flag salute and the following opening statement:

The Notice requirements provided for in the Open Public meetings Act have been satisfied. Notice of this meeting was properly given in the annual notice which was adopted by the Mansfield Township Planning Board on January 23, 2017. Said Resolution was published in the Burlington County Times, e-mailed to the Burlington County Times, and Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, filed with the members of this body, and mailed to each person who has requested copies of the regular meeting schedule and who has prepaid any charge fixed for such service. All the mailing, posting and filing having been accomplished on January 29, 2017.

RESOLUTION 2017-08-09:

**PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD
RESOLUTION NO. 2017-08-09
RESOLUTION OF THE PLANNING BOARD
OF THE TOWNSHIP OF MANSFIELD
RECOMMENDING THE TOWNSHIP COMMITTEE
ADOPT AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE VANCO PROPERTY WITHIN
THE
INTERSTATE 295 AND FLORENCE-COLUMBUS ROAD
REDEVELOPMENT AREA
PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A -7**

WHEREAS, in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Act”), the Planning Board of the Township of Mansfield adopted Resolution No. 2016-6-8 affirming its March 16, 2005 recommendation to the Township Committee that Block 44, Lots 1, 2, 4 and 5.01; Block 45.01, Lots 2.01, 2.02, 3.01, 3.02, 4, 5, 6, 7 and 8; Block 45.03, Lot 1; and Block 47.01, Lots 3.02, 9.01, 9.02, 9.03, 10.01, 10.02, 11 and 12 satisfied the criteria set forth in the Act, including N.J.S.A. 40A:12A-5, to be designated as an area in need of redevelopment and recommended that the Township Committee include these parcels in the Interstate 295 and Florence-Columbus Road Redevelopment Area as Areas in Need of Redevelopment and Areas in Need of Rehabilitation; and

WHEREAS, on March 1, 2016, by its Resolution No, 2016-3-6, the Planning Board endorsed Township Ordinance 2016-4 and recommended that the Township Committee adopt the Redevelopment Plan for the Interstate 295 and Florence-Columbus Road Area, prepared by Mark A. Remsa, AICP, PP, ASLA, LLA, Director of Economic Development and Regional Planning, Burlington County Bridge Commission, Department of Economic Development and Regional Planning, Revised November, 2015, as the Redevelopment Plan was consistent with the Board’s 2005 recommendation; and

WHEREAS, on March 3, 2016, the Township Committee of the Township of Mansfield adopted Ordinance 2016-4 declaring Block 44, Lots 1, 2, 4 and 5.01; Block 45.01, Lots 2.01, 2.02, 3.01, 3.02, 4, 5, 6, 7 and 8; Block 45.03, Lot 1; and Block 47.01, Lots 3.02, 9.01, 9.02, 9.03, 10.01, 10.02, 11 and 12 as an Area in Need of Redevelopment (the “Interstate 295 and Florence-Columbus Road Redevelopment Area”) pursuant to the Act; and

WHEREAS, the Township of Mansfield received notice from the New Jersey Department of Community Affairs (“DCA”) that the designation of Block 44, Lots 1, 2, 4 and 5.01; Block 45.01, Lots 2.01, 2.02, 3.01, 3.02, 4, 5, 6, 7 and 8; Block 45.03, Lot 1; and Block 47.01, Lots 3.02, 9.01, 9.02, 9.03, 10.01, 10.02, 11 and 12 as An Area in Need of Development became effective upon the Township’s filing of the designation with DCA; and

WHEREAS, at its July 12, 2017 meeting, the Township Committee introduced Ordinance No. 2017-11 “An Ordinance of the Township of Mansfield Adopting a Redevelopment Plan for Parcels Within The Interstate 295 and Florence Columbus Road Redevelopment Area” in accordance with the requirements set forth in N.J.S.A. 40A:12A-1 et seq. and has referred Ordinance 2017-11 to the Planning Board for the Board’s report and recommendation as required by N.J.S.A. 40A:12A-7(e), and to reaffirm the Board’s March, 2016 recommendation; and

WHEREAS, on July 24, 2017, by its Resolution 2017-07-07, the Planning Board held a hearing and endorsed Township Ordinance 2017-11, recommending that the Township Committee adopt the “Redevelopment Plan for the Interstate 295 and Florence-Columbus Road Area, Block 44, Lots 1, 2, 4 and 5.01; Block 45.01, Lots 2.01, 2.02, 3.01, 3.02, 4, 5, 6, 7 and 8; Block 45.03, Lot 1; and Block 47.01, Lots 3.02, 9.01, 9.02, 9.03, 10.01, 10.02, 11 and 12” prepared for The Township of Mansfield by Mark A. Remsa, AICP, PP, ASLA, LLA, Director of Economic Development and Regional Planning of the Burlington County Bridge Commission, Department of Economic Development and Regional Planning, revised November, 2015 (the “Redevelopment Plan”); and

WHEREAS, at its August 16, 2017 meeting, the Township Committee introduced Ordinance No. 2017-12 “An Ordinance To Amend the Redevelopment Plan for the Interstate 295 and Florence Columbus Road Redevelopment Area” amending Article II(c) of the Redevelopment Plan to provide that the ODL – Office Distribution Laboratory District zoning standards shall continue to apply to the various Blocks and Lots specifically identified in the Redevelopment Plan, except that the following changes be incorporated into the Redevelopment Plan for the property familiarity known as the Vanco Property:

1. The Building Floor Area Ratio Coverage shall be increased from thirty percent (30%) to forty percent (40%);
2. The car parking space ratio of one (1) space per 3,000 square feet for warehouse usage shall be reduced to one (1) space per 10,000 square feet of warehouse usage;
3. The Maximum Building Height shall be increased from forty (40) feet to fifty (50) feet;
4. The special regulation under Section 65-45(f) be amended to permit loading and unloading of the Vanco Property building fronting on roads, otherwise prohibited; and

has referred Ordinance 2017-12 to the Planning Board for the Board’s report and recommendation as required by N.J.S.A. 40A:12A-7(e); and

WHEREAS, at its August 28, 2017 meeting, the Planning Board held a hearing and reviewed Township Ordinance No. 2017-12 “An Ordinance to Amend the Redevelopment Plan for Interstate 295 and Florence Columbus Road Redevelopment Area” in accordance with the requirements set forth in N.J.S.A. 40A:12A-1 et seq.; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Mansfield as follows:

1. **HEARING ON THE REDEVELOPMENT PLAN.** The Planning Board of the Township of Mansfield at its regular meeting on August 28, 2017, reviewed Township Ordinance 2017-12 amending a portion of the Redevelopment Plan applicable to the Vanco Property, heard a presentation by Mark A. Remsa and afforded the public with an opportunity to make comments and ask questions concerning the Redevelopment Plan, in accordance with N.J.S.A. 40A:12A-7(e).

2. **FINDINGS AND CONCLUSION OF THE PLANNING BOARD.** The Planning Board, following its review and an opportunity for public comments, finds that the Amendment to the Redevelopment Plan included in Township Resolution 2017-12 satisfies the requirements of N.J.S.A. 40A:12-7(a) and that the Amendment to the Redevelopment Plan is substantially consistent with the Master Plan of the Township of Mansfield.

3. **PLANNING BOARD RECOMMENDATIONS.** The Planning Board resolves that the Amendment to the Redevelopment Plan included in Township Ordinance 2017-12, as considered by the Planning Board at its August 28, 2017 hearing, having been previously reviewed by the consulting engineer, planner and solicitor to the Planning Board and no objection having been identified, and after the opportunity for public comments, be ADOPTED by the Township Committee. This Resolution shall constitute the Planning Board’s Report and Recommendation required in accordance with N.J.S.A. 40A:12A-7(e).

4. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

5. **AVAILABILITY OF THIS RESOLUTION.** A copy of this Resolution shall be available for public inspection at the Office of the Planning Board of the Township of Mansfield.

6. **EFFECTIVE DATE.** This Resolution shall take effect immediately.

Vice Chairman Borgstrom asked if the board had any questions or comments on the above resolution. There were none.

A motion to approve the above the resolution was offered by **Mr. Puglia** and was seconded by **Mr. Semptimphelter**. Motion carried on a roll call vote recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, KAMPO, LIPPINCOTT, PATEL, BORGSTROM

NAY: NONE ABSTAIN: NONE ABSENT: PREIDEL, ALLEN, WINN

RESOLUTION 2017-08-10:

**PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD
RESOLUTION NO. 2017-08-10
RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD
ENDORING ORDINANCE NO. 2017-13
AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE
OF THE TOWNSHIP OF MANSFIELD
ENTITLED "ZONING"**

WHEREAS, pursuant to Section 51 of the Municipal Land Use Law of the State of New Jersey (N.J.S.A. 40:55D-64), the Planning Board of the Township of Mansfield is obligated to review any and all proposed land use control ordinances prior to adoption by the Committee of the Township of Mansfield;

WHEREAS, the Township Committee introduced Ordinance 2017-13 at its August 16, 2017 meeting and has submitted to the Planning Board Ordinance 2017-13, amending **Chapter 65** (Zoning), **Article XII** (LI Light Industrial District) of the Township Code to amend the Township Zoning Map to incorporate **Block 59, Lots 7.01 and 7.02; Block 60, Lot 16; Block 800.07, Lot 1 (P/O); and Block 800.08, Lot 1** as part of the R-1 Zoning District in the Township of Mansfield and made part of the official tax map;

WHEREAS, through this resolution, the Planning Board wishes to memorialize its findings concerning the review and analysis of the proposed amendments to the Township's existing Zoning Ordinance in the Township of Mansfield;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT:

1. The amendments to Chapter 65 of the Zoning Ordinance of the Township of Mansfield as set forth in an ordinance identified by the Township Committee as Ordinance No. 2017-13, having been previously reviewed by the consulting engineer, planner and solicitor to the Planning Board and no objection having been identified, and after a presentation at the Planning Board's August 28, 2017 meeting by Mark A. Remsa, AICP, PP, ASLA, LLA, Director of Economic Development and Regional Planning of the Burlington County Bridge Commission, Planning Consultant to the Township, is hereby endorsed by this Board for adoption by the Township Committee.

2. Ordinance No. 2017-13 is not consistent with the Master Plan of the Township of Mansfield but is being recommended to discourage additional truck traffic along the Route 130 area of the Township.

3. The Planning Board's solicitor, consulting engineer, planner and board secretary are hereby further authorized to undertake any and all action to forward the necessary endorsement to the Township Committee concerning the Planning Board's endorsement.

4. This Resolution shall constitute the report of the Planning Board required pursuant to Section 17 of the Municipal Land Use Law (N.J.S.A. 40:55D-26) for the Planning Board's review of proposed Township Ordinance No. 2017-13.

5. This Resolution shall take effect immediately.

Vice Chairman Borgstrom asked if there were any questions or comments on the above resolution. There were none.

A motion approve the above resolution was offered by **Mr. Puglia** and seconded by **Mr. Semptimphelter**. Motion carried on a roll call vote recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, KAMPO, LIPPINCOTT, PATEL, BORGSTROM

NAY: NONE ABSTAIN: NONE ABSENT: PREIDEL, ALLEN, WINN

APPLICATION PB2017-1PSP+FSP: Mansfield Realty North, LLC

Vice Chairman Borgstrom stated that this application is for Preliminary and Final Site Plan approval for Block 3, Lots 5.01, & 10.01 and Block 4, Lots 6.01 & 7 located on Aaronson Road and Route 206. Zoning is C-2, Highway Commercial within a Redevelopment Area.

Attorney for the applicant **Mr. Shimanowitz** explained that on July 24th the last time they were before the board, they presented their entire case; including six witnesses and at the conclusion of that meeting the board assigned them to a future meeting. However, during that time they have had some interplay between the respective consultants. What they are looking to do this evening is through one witness **Mr. Oman**, Site Engineer, just bring the board up to date on what has transpired since the last meeting.

Mr. Oman acknowledged that he is still under oath. He stated that during the last meeting they heard a lot of comments and questions and discussion from the board and public. There were three review letters from the board professionals and the anticipated procedure was to resubmit revised plans, however since the meeting was moved to this evening they were not able to get the revised plans completed. **Mr. Oman** submitted a letter dated August 11th which gives a point by point response to all of the board professionals review letters indicating that they will comply with all plan changes as required and will work with board professionals based on the discussions including truck movement, turning radius, and materials for the sound wall.

Attorney Shimanowitz asked if the board or professionals had any questions or concerns. He believes all outstanding issues have been satisfied and that they have presented their case. **Vice Chairman Borgstrom** asked the board professionals for comments.

Planner Fegley stated that she reviewed Mr. Oman's August 11th letter and there were two things she was not clear on. Going back to the Phase 1 site assessment by SSG Barco dated January 27, 2016, however there was something that said Brickeroff Environmental Services prepared a more update assessment and that there was site investigation work that was completed. She asked if there was another report. **Mr. Oman** stated that the SSG Barco is the latest. Brinkerhoff was actually the first assessment. **Planner Fegley** had no further questions.

Traffic Engineer **Mr. Litwornia** referenced his memo date July 18, 2017 which included an update from the site plans provided from the last hearing. The applicant responded well to a lot of his comments. He stated that he asked for an analysis for the signal which has not been received as of yet. He wants to look at the traffic signal plan for the proposed signal in more detail. **Mr. Litwornia** would like architectural detail on the noise from the roof equipment. There is a need for a cross access agreement to the building to the North on the property on the West. Site Triangles from all the drives are needed especially on the Landscape Plan. There is a question on the Guardrail and the applicant did not go over the details on how they will put open/closure in order to access the basin. In addition he would like to know the type of Guardrail that will be installed. He further explained that the truck circulation plans and fire emergency circulation plans were received. He had some concerns that need to be addressed with the applicant. He stated that no trucks come out and make a southbound turn to the light on the western site. The trucks come in on the right in right out drive in which they all make the right hand turn out of there. He is not sure how they will enforce that. Turning movements need to be addressed. **Mr. Litwornia** further stated that he is interested in the analysis for the new signal that has been proposed and take a look at the volumes going in front of this building to see if that helps in getting improvement for a left turn lane to make it safer. He explained that he also asked to see if any cars or trucks would be going through Columbus. He did not receive any numbers yet.

Engineer Stout referenced his report date August 28, 2017 in response to the August 11th response letter. On page 2 there is a question on the alternative proposed sanitary sewer system, they need to discuss what the ultimate goal is for that. Next, he stated that the applicant feels like they should not be held for a contribution for the sidewalks, which is required by Ordinance and has been required on every single application to date. The board will need to decide if they are in agreement with that. Also, the concern with Aaronson Road, if there would be some improvements. As part of the prior application they agreed to work with the engineer and planners office to come up with a solution. There is more testimony needed on that issue as well.

Lastly there was conversation on the Route 206 culvert that is currently in place and has been washing out. They will need to address that in their response since they will be working with NJDEP.

Vice Chairman Borgstrom asked about hours of operation whether they would be prepared to provide that information. **Mr. Shimanowitz** stated that they currently do not have a tenant therefore it is hard to pin down the hours of operation. **Vice Chairman Borgstrom** asked if that could be a condition because he has concerns for the residents who had a lot of concerns over the noise and it would be good to have some sort of idea of what those hours would be to satisfy both parties.

Truck traffic through the town of Columbus was discussed. **Mr. Shimanowitz** explained that it could be a condition of approval that they need to address Mr. Litwornia's comments regarding the appropriate distribution analysis.

Mr. Oman started addressing some of Engineer Stout's concerns. He stated that there are no sidewalks along Route 206 and along Aaronson Road there is a sidewalk along the entire frontage on the Eastside of Aaronson Road. It is their opinion that there is no need for additional sidewalks. He then moved on to discuss the sewer recommendations/design/layout based on the professionals' recommendations. He explained that they would maintain the two pump stations which give the applicant some flexibility in terms of ownership for the buildings. Both pump stations will discharge in a single force main, go offsite approximately two miles down to Ellington Drive pump station. This is still in the works with the DEP and NJ American Water.

Mr. Oman then discussed the revisions and/or modifications to Aaronson Road. He stated that this application is not providing any kind of access out onto Aaronson Road. They are doing buffering planting however, they do not feel like this site has any impact over Aaronson Road in terms of traffic. He further stated that they did hear some public comments about the crown of the road from a safety standpoint and they did look at the requirements for that, however the fear is if they cut the peak there will need to be some grading within the right of way and close to some of the rear properties of the homeowners. There is a good chance if they cut the grade it would kill the root system of some of the mature trees. Therefore, from their standpoint it doesn't make sense for them to make modifications to Aaronson Road.

Lastly **Mr. Oman** discussed the washout to Route 206. He stated that the washout is occurring within the DOT right of way. The applicant is going in for a DOT permit and they have the ability to do work in there, but ultimately because it is on DOT property they will need to consent to it. He asked for a letter from the boards' engineer that may help the DOT understand that this is a serious concern to the Township.

Engineer Stout stated that the board will need to decide what they want to do about the contribution to the sidewalk fund. **Mr. Semptimphelter** stated that if they do not contribute to sidewalks then they are setting precedence. **Mr. Puglia** stated that there is a line item for contributions to sidewalks. There is an amount that the applicant has to give in lieu of sidewalks. **Mr. Puglia** asked about the hours of operation and whether or not the board could set hours. **Mr. Coleman** stated that the best course of action would probably be to grant preliminary approval only because of so many open items that the board professionals have, as well as the fact that there are no confirmed plans; hours of operations could be added as a condition. **Mr. Semptimphelter** agreed that it should be a condition of approval.

Vice Chairman Borgstrom asked if the board would be prepared to give preliminary approval. **Mr. Litwornia** added that there should be no retail sales. **Mr. Shamanowitz** agreed to that. **Mr. Semptimphelter** stated that he wanted to be sure the applicant was comfortable with the professional comments and that they would respond appropriately to those comments. **Mr. Shamanowitz** explained that he believes they addressed the planner's comments. They are comfortable with Mr. Litwornia's comments and will address all of his items. He stated that yes they are comfortable.

Mr. Kampo mentioned the traffic and the lights in the area. He is very concerned with the truck traffic. **Mr. Litwornia** stated that the applicant has addressed everything through all the lights from the exit onto the turnpike. His main concern is the left turn storage on these because the lights don't affect too much until the left turn storage lane backs into the main part of Route 206. The left storage lanes need to be maintained so that they do not block Route 206. Mr. Litwornia also wants to be certain that there will not be a problem in front of the municipal building as well.

Mr. Shimanowitz stated that this application is for Preliminary and Final Site Plan approval. They also requested variances, for parking and Mr. Bernard testified as the planning justification for that. He wanted to be sure the board was aware of the variances involved as well.

Attorney Coleman asked if there was any definitive outcome as to the board's position on the Aaronson Road improvements. The applicants engineer has said that they do not feel they are impacting that road. Is there a sense that there should be a contribution made to the sidewalk fund. **Vice-Chairman Borgstrom** stated that the sidewalk fund is required by Ordinance. The Aaronson Road he believe the engineers may be able to come up with a solution to address some of the concerns. The original application for the property included improvements to that road and he believes those improvements needs to be made. This is something that could be addressed before final approval.

Attorney Coleman stated that the board will be entertaining a motion to approve preliminary only approval for Block 3, Lot 5.01 & 10.01 and Block 4, Lot 6.01 & 7, be subject to the approval of the various waivers that are set forth in the professional review letters. Also subject to the approval of the three variances including the two parking variances for the eastside allowing parking stalls a maximum of 306 spots and for the Westside 102 spots. Also the six foot high solid fence, which is prohibited within the front yard setbacks. Mr. Bernard's testimony justifies a granting of that variance. Preliminary approval would be subject to the applicant addressing the comments set forth in Engineer Stouts May 22nd, July 24th, and August 28th letters. Mr. Litwornias May 12th and July 18th letters. Planner Fegley's May 19th and July 19th letters. Also subject to the applicant establishing hours of operation for the site. Also subject to a contribution to the sidewalk fund which Engineer Stout would calculate with the applicant's engineer.

PUBLIC COMMENT:

Debra Mansur, 19 Sherwood Lane – She stated that she attended the last meeting as well, however she wanted to know what the benefit to the public was for this project.

Colleen Herbert, 2 Millennium Drive – She had questions on the sewer and pump stations. It was going to run right alongside her home, past Four Seasons into

Mapleton. She wanted to know if that was still the route. **Mr. Omen** stated that it was. **Ms. Herbert** asked where the actual pump station would be located. **Mr. Omen** referred to exhibit A-2; on the eastern side it would be located at the southwest corner of the building and at the northeast corner of the smaller building. **Ms. Herbert** asked if it would affect her in any way. **Vice Chairman Borgstrom** stated that just the forced main would run where it was before. **Ms. Herbert** stated that when they dig up the road going by her house she would like assurances that the road would be left in better shape than it is now. She further stated that she wants the board to remember that the residents were here first. She is excited for higher property values. She hopes that the board considers this and that if it will be detrimental into the property values or neighborhoods that it does not happen.

Lisa Kendall, 30 Sherwood Lane – She stated that she lives right across the street from the site. She commented that distribution centers are loud and there is a lot of pollution. She believes Aaronson Road will be affected and the traffic will increase. Aaronson Road needs to be fixed because it is very dangerous and she believes the applicant should address this. She stated that there is a lot of pollution from the diesel fuel. Nade is close to her home and they are very respectful and have their water tested constantly. She is concerned that the value of her property is going to go down significantly. She further stated that this is not Northern New Jersey, Robbinsville, or Florence. This is a rural area and people moved here to come into this environment. This project will significantly change the area. She also commented on the amount of trucks that will be coming through. She mentioned that there are Eagles nesting in the area as well.

Steve Waldie, 27 Millennium – He questioned what the taxes would be for this project and what would it bring to the Township. **Attorney Coleman** stated that he does not believe that an assessment has been placed on it as of yet. Mr. Waldie, pointed out his property on exhibit A-2. He stated that he is looking forward to the development but he would like to know about the taxes. **Mr. Borgstrom** stated that is something that would have to come from the Assessor's office as to what a projection would be. **Attorney Coleman** stated that those numbers won't be available until the improvements are actually constructed and there is an evaluation established with those improvements.

Public Comment session was closed.

Mr. Coleman questioned the improvements on Aaronson Road and if the board was leaving that to the professionals. **Mr. Borgstrom** stated that he believes that is the best way to handle it and that there must be some sort of compromise. Safety is the most important.

A motion for Preliminary Approval as per **Attorney Coleman's** above statement was offered by **Mr. Puglia** and seconded by **Mr. Semptimphelter**. Motion carried on a roll call vote recorded as follows:

**AYE: PUGLIA, SEMPTIMHELTER, LIPPINCOTT, PATEL,
BORGSTROM**

NAY: NONE ABSTAIN: KAMPO ABSENT: PREIDEL, ALLEN, WINN

APPLICATION PB2017-4MSD+BV: Thomas and Michelle Sahol, Block 33.01, Lot 18.02

Mr. Sahol was sworn in and stated that he resides at 71 Mill Lane, Columbus, NJ. He explained that he submitted an application to the board for a minor subdivision with variances as outlined in the application. The principle structure that he currently occupies will be located in the proposed plan on a 2 acre lot, which is less than the 3 acre minimum. It will have correct frontage and depth. The subdivided lot will have the area necessary of 3 acres, but it will not have the frontage.

Mr. Sahol handed out exhibit A-1 which is the concept for the proposed home. He does intend to downsize. **Mr. Coleman** commented that this is the proposed concept that may potentially be constructed there. **Mr. Sahol** stated that yes it is.

Planner Fegley referenced her letter dated August 16th. She mentioned the two variances that Mr. Sahol requested and asked if there were any positives or negatives. **Mr. Sahol** explained some of the positive criteria from the MLUL D2a addresses municipal actions that guide appropriate use and development of all lands to the best it could possibly be developed. He is proposing that his plan is advancing more use of the land and a greater use of the 5 acre parcel that he presently owns. The current home would sit on a 2 acre parcel. He doesn't feel his proposal is injuring the streetscape that is included in the land use ordinance. He believes using more of the available land allows the lots to more closely align with the intent of the code. He stated that his ability to develop the subdivided land maintains the residential development in the area where the township has established zoning for that purpose. **Mr. Sahol** stated that the improvements and setbacks far exceed the zone requirements and are not visible from the roadway.

Mr. Sahol explained that there is no substantial detriment to the public good. The new home will be separated from the adjoining dwellings at a greater than minimum setback requirement that's required in the zone. Minimal additional impact to traffic and the streetscape will be unchanged. There is little to no detriment to the public good. No substantial impairment to the zone plan.

Planner Fegley again referenced her letter, particularly number 5 the wood and wire fence that goes through the property; is there an easement or ownership? **Mr. Sahol** understands that all the information needs to be included on the plan and he stated that it would be. He will indicate that there will be no construction activities that will interfere with the wetland or wetland buffers. He is waiting to hear from the Tax Assessor regarding the lot numbers. He explained that the wire wood fence is nearly all gone at this point. He mentioned item six of the letter and he will indicate on the plan that it is Crafts Creek or a tributary. He has not currently done any septic testing, he is asking if the board would make it a condition of approval, before he can be issued any construction permits that he would need to satisfy Burlington County's septic testing requirements.

Engineer Stout referenced his letter dated July 17, 2017. He state the **Mr. Sahol** has addressed most of the comments. There were a few notation items that he agreed to put on the plan and he agrees to put the soil testing as a requirement for a building permit. Lastly the access drive to the rear portion of the flag lot has some trees that he asks Mr. Sahol saves some of them.

Mr. Sahol provided exhibit A-2, which represents his findings for the pre-structure on his property. He stated that he has over 25 years of experience with the shade tree forestry. The exhibit shows invasive trees that have risen in the past 50 years. The gum trees have been deteriorating and rotting. **Mr. Sahol** stated that he will try to preserve as much of that area as he can, and whatever he does loose he will reestablish a better variety of tree more suitable for the area. **Attorney Coleman** asked about the height of the proposed garage. **Mr. Sahol** stated that he is aware that 15ft is the maximum, so he is asking for a variance. He is proposing a loft area for a workshop. He explained that his neighbor's garage is about 8ft from his property line and there is a property on Mill Lane that has a garage that is 23ft. He stated that he would probably need about 23-24ft of height versus the 15 maximum. The garage will be about 700-750sqft. **Vice-Chairman Borgstrom** asked about a street address. **Mr. Sahol** stated that there is an opening as he is 71 Mill Lane and his neighbor he believes is 65 Mill Lane.

Attorney Coleman asked about utilities to the accessory structure. **Mr. Sahol** stated that he would have water and electricity from the home, but there will be no bathroom. **Attorney Coleman** stated that there will be no potential for an apartment. **Mr. Sahol** confirmed. **Mr. Patel** had a question on flood plains which **Engineer Stout** briefly discussed. **Mr. Sahol** explained that he will be applying to Burlington County Board of Health and is asking for a waiver from soil testing requirements. He stated that he has submitted to the Burlington County Planning Board and there are a few things that he will be correcting and resubmitting.

Vice Chairman Borgstrom opened up for public comment and there was none. **Attorney Coleman** stated that this application is for Block 33.01, Lot 18.02 owned by Thomas and Michelle Sahol in the R-1 zone. He believes the board has heard testimony that would support the approval of a minor subdivision to create two lots. There would be a total of three variances associated with the application. A variance to permit a 2 acre lot where 3 acres is required for Lot "A" and a lot frontage of 50 feet for the flag lot where 200ft is required for Lot "B". There would also be a variance to permit an accessory structure to have a maximum height of no more than 24ft and no more than 1000sqft. This would be subject to any approvals as well as conditions that were set forth in the Planners letter dated August 16th and the Engineers July 17th letter. There will also be a waiver granted with respect to the requirement for soil testing for this particular property.

A motion to approve the above was offered by **Mr. Puglia** and was seconded by **Mr. Semptimphelter**. Motion carried on a roll call vote recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, LIPPINCOTT, KAMPO, PATEL, BORGSTROM

NAY: NONE ABSTAIN: NONE ABSENT: PREIDEL, ALLEN, WINN

APPROVAL OF MINUTES:

July 24, 2017 - A motion was offered by **Mr. Semptimphelter** and seconded by **Mr. Puglia** to approve the minutes. Motion carried on a roll call vote recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, LIPPINCOTT, KAMPO, PATEL, BORGSTROM

NAY: NONE ABSTAIN: NONE ABSENT: PREIDEL, ALLEN, WINN

MOTION TO ADJOURN:

A motion to adjourn was offered by **Mr. Semptimphelter** and was seconded by **Mr. Puglia**. All ayes. Motion carried.

Respectfully Submitted by:

Ashley Jolly, Land Use Coordinator

Date Approved